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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No. 10/655,871First Named Applicant: Andrea Hughs-BairdExaminer: Matthew D. HoelArt Unit: 3714Status of Application: PendingDocket No: 112300-1473

Tentative Participants:

(1) Holby M. Abern(2) Corey R. UchtmanProposed Date of Interview: June 25, 2009Proposed Time: 3:00 (PM) Eastern Time

Type of Interview Requested:

(1) ☒ Telephonic(2) ☐ Personal(3) ☐ Video ConferenceExhibit To Be Shown or Demonstrated: ☐ YES☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) §103(a) Rejection	<u>Claim 1</u>	<u>Dice Game and Baerlocher</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented: Applicant will generally discuss the gaming device of amended Claim 1, as well as the prior art references of Dice Game and Baerlocher. Specifically, as acknowledged on page 4 of the Office Action, in Dice Game "each modifier is changed only once as the decimal places in Dice Game are revealed one at a time." On the other hand, at least the first modifier of the gaming device of proposed amended Claim 1 is changed a plurality of times. More specifically, proposed amended Claim 1 includes, amongst other elements, a plurality of instructions which when executed by the at least one processor, cause the at least one processor to operate to (d) change a first modifier based on the displayed prediction symbol and (g) repeat steps (a) to (f) until each of the plurality of component symbols is displayed, wherein for each of the plurality of changes of the first modifier, the first modifier is changed regardless of whether the prediction symbol matches the selected component symbol and regardless of whether the player correctly picked which symbol set includes the selected component symbol.

Additionally, Applicant would like to discuss the proposed amended claims attached hereto. Applicant is also open to discuss clarifying claim amendments during the interview

An interview was conducted on the above-identified application on _____

NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01). This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Holby Abern (Reg. No. 47,372)

(Applicant/Applicant's Representative Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS

(Examiner/SPE Signature)

ADDRESS: SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Appl. No. 10/655,871

PROPOSED CLAIM AMENDMENTS FOR INTERVIEW PURPOSES ONLY

Claim 1 (currently amended): A gaming device comprising:

at least one display device;

at least one input device;

at least one processor; and

at least one memory device which stores a plurality of instructions, which when executed by the at least one processor, cause the at least one processor to operate with the at least one display device and the at least one input device, for each play of a game, to:

- (a) select one of a plurality of component symbols;
- (b) designate one of a plurality of prediction symbols;
- (c) display said designated prediction symbol to a player;
- (d) change a first modifier based on said displayed prediction symbol;
- (e) change a second, separate modifier if said prediction symbol

matches said selected component symbol;

(f) if said prediction symbol does not match said selected component symbol:

(i) form at least two symbol sets based on said prediction symbol, wherein one of said symbols sets includes the selected component symbol;

(ii) enable the player to input a prediction of which formed symbol set includes the selected component symbol;

(iii) display the selected component symbol to the player; and

(iv) change a third, separate modifier if the player correctly picked which symbol set includes the selected component symbol;

(g) repeat steps (a) to (f) until each of said plurality of component symbols is displayed, wherein for each of the plurality of changes of said first modifier, said first modifier is changed regardless of whether said prediction symbol matches said selected component symbol and regardless of whether the player correctly picked which symbol set includes the selected component symbol; and

(h) cause an award to be provided to the player, said award based on said first modifier, said second modifier and said third modifier.

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PROPOSED CLAIM AMENDMENTS FOR INTERVIEW PURPOSES ONLY

Claim 8 (currently amended): A gaming device comprising:

an input device; and

a display device configured to display a primary wagering game operable upon a
wager by a player;

~~a plurality of component symbols;~~

~~a plurality of prediction symbols; and~~

~~a triggering event associated with said primary wagering game, wherein after each~~
occurrence of said a triggering event associated with said primary wagering game:

(a) one of ~~said a plurality of~~ component symbols is selected;

(b) one of ~~said a plurality of~~ prediction symbols is designated;

(c) said display device is caused to display said designated prediction
symbol ~~is displayed to the player;~~

(d) a first modifier is changed based on said displayed prediction
symbol;

(e) a second, separate modifier is changed if said prediction symbol
matches said selected component symbol;

(f) if said prediction symbol does not match said selected component
symbol:

(i) at least two symbol sets are formed based on said prediction
symbol, wherein one of said symbols sets includes the selected component symbol;

(ii) the player is enabled to input a prediction of which formed
symbol set includes the selected component symbol;

(iii) said display device is caused to display the selected
component symbol ~~is displayed to the player; and~~

(iv) a third, separate modifier is changed if the player correctly
picked the symbol set which includes the selected component symbol;

(g) steps (a) to (f) are repeated until said display device is caused to
display each of said plurality of component symbols ~~is displayed~~, wherein for each
change of the plurality of changes of said first modifier, said first modifier is changed
regardless of whether said prediction symbol matches said selected component symbol

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PROPOSED CLAIM AMENDMENTS FOR INTERVIEW PURPOSES ONLY

and regardless of whether the player correctly picked which symbol set includes the selected component symbol; and

(h) an award based on said first modifier, said second modifier and said third modifier is provided to the player.

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PROPOSED CLAIM AMENDMENTS FOR INTERVIEW PURPOSES ONLY

Claim 47 (previously presented): A method of operating a gaming device including a plurality of instructions and, including a game, for each play of the game, said method comprising:

(a) causing at least one processor to execute the plurality of instructions to randomly selecting one of a plurality of component symbols;

(b) causing said at least one processor to execute the plurality of instructions to generating a prediction symbol;

(c) causing at least one display device to display said prediction symbol;

(d) providing an award to a player if the generated prediction symbol matches the selected component symbol, wherein said award is based on said selected component symbol and a modifier;

(e) if the generated prediction symbol does not match the selected component symbol:

(i) causing said at least one processor to execute the plurality of instructions to forming a symbol set based on the generated prediction symbol, wherein said symbol set includes the selected component symbol;

(ii) causing the at least one display device to display said symbol set that includes the selected component symbol;

(iii) enabling the player to pick one of the symbols from the symbol set which includes the selected component symbol; and

(iv) providing the player the award if the player's picked symbol is the selected component symbol;

(f) causing the at least one display device to display the selected component symbol; and

(g) causing said at least one processor to execute the plurality of instructions to repeating steps (a) to (f) until each of said plurality of component symbols is displayed, wherein the modifier that each subsequent award is based on is greater than the modifier that each previous award is based on.